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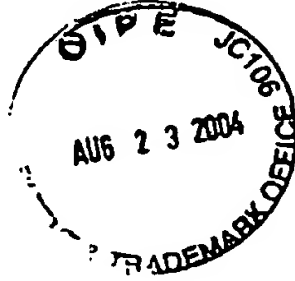
IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

In re the Application of

Marian DEVONEC

Application No.: 09/826,207

Filed: April 5, 2001



Group Art Unit: 3763

Examiner: C. Rodriguez

Docket No.: 039179.01

noted
CHK 10/15/04

For: THERAPEUTIC DEVICE FOR THE SELECTIVE CYTOREDUCTION TREATMENT OF AN OBSTRUCTION IN A NATURAL LUMEN OR PASSAGE OF THE HUMAN OR ANIMAL BODY

**NOTICE OF APPEAL TO THE BOARD OF PATENT APPEALS
AND INTERFERENCES AND PETITION FOR EXTENSION OF TIME**

Commissioner for Patents
P.O. Box 1450
Alexandria, VA 22313-1450

Sir:

Applicant hereby appeals to the Board of Patent Appeals and Interferences from the Decision of the Primary Examiner dated February 23, 2004.

The \$330.00 Appeal Fee (\$165.00 Small Entity) is:

XX Enclosed (our Check No. 157613)

 Not required (fee paid in prior appeal in this application with no Board Decision on the merits).

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AUG 26 2004
TECHNOLOGY CENTER

The shortened statutory period having expired May 23, 2004, it is hereby requested that the period for response be extended for 3 months. Included in our enclosed check is \$950.00 in payment of the fee for a 3 month extension of time for filing this Notice of Appeal.

The Commissioner is hereby authorized to charge any fees which may be required or credit any overpayment to Deposit Account No. 15-0461. Two duplicate copies of this document are enclosed.

Respectfully submitted,

William P. Berridge
Registration No. 30,024

Melanie L. McCollum
Registration No. 40,085

08/24/2004 EAREGAY1 00000073 09826204

01 FC:1253 950.00 OP
02 FC:1401 330.00 OP

WPB:MLM/jam

Date: August 23, 2004

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